

Exhibit “J”

1 THE VIDEOGRAPHER: Today is February
2 5th, 2004. The time is approximately 9:09. The
3 location is the 100 North Main Building in
4 Memphis, Tennessee, the fourth floor conference
5 room. My name is Will Smith, video specialist of
6 Alpha Legal Productions located in the lobby of
7 the 100 North Main Building in Memphis, as well.

8 This case is entitled DeLage
9 Laden Financial Services, Inc. versus Toshiba
10 America Medical Systems, Inc. Plaintiff
11 Intervenor versus Desoto Diagnostic Imaging, LLC,
12 et al. The deponent today is Ms. Deborah May.
13 The video deposition is requested by the
14 Plaintiff Intervenor, Ms. Julie Peck. Counsel
15 and all present please identify yourselves for
16 the record at this time.

17 MS. PECK: My name is Julie Ann Peck.
18 I am from the law firm of Drinker, Biddle and
19 Reath and we represent Toshiba America Medical
20 Systems, Inc.

21 MR. TATE: My name is Kyle Tate and
22 along with my cocounsel Bryan Ray, we represent
23 the Defendants and Counter Claimants in the
24 matter.

1 A. You have to make sure that the anatomy
2 is on there and that the patient is not moving.

3 Q. If the patient's moving, how does that
4 effect the image?

5 A. The images will not be clear and you
6 may have to repeat the scan.

7 Q. So you would review the images to make
8 sure they're clear before you would send them to
9 Pax to be reviewed by the radiologist?

10 A. Yes.

11 Q. Now during the week that you worked on
12 the Toshiba CT, did it produce clear images?

13 A. Yes.

14 Q. Okay. Do you recall having any
15 problems with the CT while you were working on
16 it?

17 A. No.

18 Q. Now how did that CT operate compared
19 to other CTs that you had operated in the past?

20 A. The one I worked on before, it was ten
21 years old. The scans take a lot longer. The new
22 CTs are a lot quicker.

23 Q. Okay. Since you've -- when you left
24 Desoto in January of 2002 where did you go to

1 that were produced by the Toshiba MRI that you
2 operated, whether they were in your opinion
3 diagnostic?

4 MR. TATE: Objection to the form,
5 lack of foundation.

6 BY MS. PECK:

7 Q. Do you recall whether the Toshiba MRI,
8 while you worked on it, produced good images?

9 MR. TATE: Objection to the form,
10 lack of foundation.

11 BY MS. PECK:

12 Q. You can answer the question.

13 A. Will you repeat it again.

14 Q. Do you want to read back my question?

15 (WHEREUPON, THE COURT REPORTER
16 READ BACK THE LAST QUESTION FROM THE
17 RECORD.)

18 MR. TATE: Objection to the form,
19 lack of foundation.

20 THE WITNESS: Yes.

21 BY MS. PECK:

22 Q. Do you recall how those images
23 compared to the images that were produced off of
24 other -- the other MRIs that you had worked on?

1 Q. How would you compare the Toshiba MRIs
2 to the GE MRI in terms of user friendliness?

3 A. Toshiba was not as user friendly as
4 GE.

5 Q. And why is that?

6 A. It had certain commands that you had
7 to type in to get the scan to go.

8 Q. Is it fair to say that with the GE
9 MRI, you could be more of just a button pusher?

10 A. Yes.

11 Q. Okay with the Toshiba MRI, you had to
12 know how to use that piece of equipment?

13 A. Yes.

14 Q. Okay. In determining what protocols
15 you would set before a scan, did you enter the
16 protocols or did you use protocols that were
17 already set on the system?

18 MR. TATE: Objection to the form.

19 THE WITNESS: Paul set up the
20 protocols to use, and that's what we used.

21 BY MS. PECK:

22 Q. Okay. Paul king?

23 A. Yes.

24 Q. Okay. Now, after Desoto -- after the

1 MRI, the Toshiba MRI was removed from Desoto,
2 what type of MRI was it replaced with?

3 A. Siemens.

4 Q. Okay. And was that Siemens MRI at
5 Desoto for the remaining period of time that you
6 worked there?

7 A. Yes.

8 Q. And what type of CT -- when the CT was
9 removed from Desoto, what type of CT was it
10 replaced with?

11 A. Siemens.

12 Q. Siemens. And was that Siemens CT at
13 Desoto for the entire time that you worked there?

14 A. Yes.

15 Q. After obviously the removal of the
16 previous one.

17 MR. TATE: Objection to the form.

18 MS. PECK: That was confusing.

19 BY MS. PECK:

20 Q. Did the Siemens CT remain at Desoto
21 for the rest of the time that you worked there?

22 A. Yes.

23 Q. How did the performance of the Siemens
24 MRI, if you know, compare to the performance of

1 the Toshiba MRI?

2 MR. TATE: Objection to the form,
3 lack of foundation, lack of personal knowledge.

4 THE WITNESS: I didn't like it.

5 BY MS. PECK:

6 Q. You didn't like the Siemens MRI?

7 A. No.

8 Q. Why not?

9 A. It had problems also, and I couldn't
10 fix those either.

11 Q. What kind of problems did the Siemens
12 MRI have?

13 A. It had artifacts, too, but they
14 weren't the same as what the Toshiba had.

15 Q. Okay. So you recall the Toshiba MRI
16 experiencing artifacts?

17 A. Yes.

18 Q. Okay. What kind of artifacts, if you
19 recall?

20 A. I don't recall.

21 Q. Okay. And you recall the Siemens MRI
22 experiencing artifacts?

23 A. Yes, but I don't know -- they weren't
24 the same, I don't think. I don't remember.

1 Q. Did the Siemens MRI produce artifacts
2 the entire time that you were at Desoto?

3 MR. TATE: Objection, assuming facts
4 not in evidence. Objection to the form.

5 BY MS. PECK:

6 Q. Let me rephrase the question. Do you
7 recall the artifact problem that you were
8 experiencing with the Siemens MRI ever being
9 resolved while you were at Desoto?

10 MR. TATE: Objection, assuming facts
11 not in evidence.

12 BY MS. PECK:

13 Q. You can answer the question.

14 A. No.

15 Q. Do you recall the Siemens MRI
16 experiencing any other types of problems?

17 A. No.

18 Q. How did the images that were being
19 produced other than artifacts, how did the images
20 that were being produced on the Siemens MRI
21 compare to the images that were being produced
22 off the Toshiba MRI?

23 MR. TATE: Objection to the form.

24 BY MS. PECK:

1 Q. If you recall?

2 MR. TATE: Objection to the form.

3 BY MS. PECK:

4 Q. Let me rephrase the question. Kyle
5 has a point.

6 How did the quality of the
7 images that were being produced on the Siemens
8 MRI compare to the quality of the images that
9 were produced on the Toshiba MRI, if you recall?

10 A. They were comparable.

11 Q. Okay. Would you say that they were
12 any better or any worse than the Toshiba MRI
13 images?

14 MR. TATE: Objection to the form,
15 meaning of better or worse. Ill believe it's a
16 compound question as well.

17 BY MS. PECK:

18 Q. You can answer the question, if you
19 understand?

20 A. Will you repeat it?

21 Q. Do you recall whether the images that
22 were produced on the Siemens MRI were any better
23 or worse than the images produced on the Toshiba
24 MRI, or were they the same?